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11 **UNITED STATES DISTRICT COURT**  
12 **NORTHERN DISTRICT OF CALIFORNIA**

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14 J. P., by and through his Guardian  
15 Ad Litem, SHANNON VILLANUEVA

16 Plaintiffs,  
v.

17 COUNTY OF ALAMEDA, DIANE DAVIS  
18 MAAS, SUE MAY, TRIAD FAMILY  
SERVICES, MARIA REFUGIO MOORE,  
19 and DOES 1-30, inclusive.

20 Defendants.

21 Case No: 4:17-cv-05679-YGR

22 **STIPULATION AND [PROPOSED] ORDER**  
**TO EXTEND NON-EXPERT DISCOVERY**  
**CUTOFF BY 30 DAYS**

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1           **TO THE COURT AND ALL PARTIES OF RECORD:**

2           Pursuant to Northern District Local Rule 6-1(a), Plaintiff J.P. by and through his Guardian  
3 Ad Litem, Shannon Villanueva, and all Defendants by and through their respective counsel  
4 hereby stipulate to and seek this Court's order to extend non-expert discovery by 30 days from  
5 October 31, 2018 to December 4, 2018.

6           **RECITALS**

7           WHEREAS the Court issued its Pretrial Schedule on 2/20/18, at Docket 37, setting the  
8 deadline to complete non-expert discovery of 10/31/18;

9           WHERAS this Court partially granted the County Defendants' motion to stay in its Order  
10 dated 8/13/18 at Docket 68;

11           WHEREAS the parties met and conferred and agreed on a limited discovery schedule  
12 prior to the settlement conference set on 9/25/18 which did not include any County percipient  
13 witnesses;

14           WHEREAS the parties participated in the settlement conference on 9/25/18;

15           WHEREAS the plaintiff and Maria Moore reached a conditional settlement on September  
16 25, 2018, yet Ms. Moore will be produced for deposition as a witness in this case;

17           WHEREAS counsel for the plaintiff and Triad Family Services have requested the County  
18 Defendants' counsel produce percipient County witnesses for deposition, which Rebecca Widen  
19 (counsel for County Defendants) believes cannot proceed given the Court's Order on the stay  
20 (Dkt. 68) and the County Defendants' pending appeal, which may require this Court's guidance  
21 and for which a joint letter will be forthcoming;

22           WHEREAS counsel for the County Defendants requested she not be a signatory to this  
23 Stipulation "given the Court's lack of jurisdiction over the County Defendants and the stay  
24 entered in this case" but also represented to all counsel that she has no objection to this request;

25           WHEREAS counsel for the plaintiff and Triad Family Services have met and conferred  
26 and identified over fifteen (15) percipient witnesses who need to be deposed;

27           WHEREAS counsel for the plaintiff and Triad Family Services (as well as the County  
28 Defendants and Maria Moore) are working diligently on a deposition schedule, completing the

1 now-identified depositions will be very difficult if not impossible to schedule in one month due to  
2 many people's calendars and the obvious; and,

3 WHEREAS the parties believe they should be able to complete non-expert discovery  
4 given another month without altering any other pretrial deadlines.

5 **STIPULATION**

6 IT IS HEREBY STIPULATED to and the parties (except for the County Defendants)  
7 jointly request that this Court continue the deadline set for non-expert discovery to be completed  
8 from October 31, 2018 to December 4, 2018. The parties have exercised good-faith and diligence  
9 in seeking this revision to this Court's pretrial schedule and do *not* seek to alter any of the other  
10 dates.

11 Dated: October 2, 2018

Respectfully submitted,

12 **SCOTT LAW FIRM**

13 /s/ Lizabeth N. de Vries  
14 Lizabeth N. de Vries  
15 Attorney for Plaintiffs

16 Dated: October 2, 2018

Respectfully submitted,

17 **MATHENY SEARS LINKERT JAIMIE LLP**

18 /s/ Ronald E. Enabnit  
19 Ronald E. Enabnit  
20 Attorney for Defendant Triad Family  
Services

21 Dated: October 2, 2018

Respectfully submitted,

22 **GAVIN CUNNINGHAM & HUNGER**

23 /s/ Alan F. Hunter  
24 Marshall E. Bluestone  
25 Attorney for Defendant  
Maria Refugio Moore

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## **ELECTRONIC CASE FILING ATTESTATION**

I, Lizabeth N. de Vries, am the ECF user whose identification and password are being used to file the foregoing documents. Pursuant to Civil Local Rule 5.1(i), I hereby attest that concurrence in the filing of these documents has been obtained from each of its signatories.

Dated: October 2, 2018

SCOTT LAW FIRM

By: /s/ Lizabeth N. de Vries  
Lizabeth N. de Vries

**[PROPOSED] ORDER**

Pursuant to this stipulation, the Court hereby amends the Court's case Management and Pretrial Order, Dkt. 37, to continue the Non-Expert Discovery Cutoff from October 31, 2018 to December 4, 2018.

## **IT IS SO ORDERED.**

Dated: October 4, 2018

Yvonne Gonzalez Rogers  
THE HON. YVONNE GONZALEZ ROGERS  
UNITED STATES DISTRICT JUDGE